

REMARKS

Claims 1-5 remain pending in the application.

Reconsideration of the rejections and allowance of the pending application in view of the foregoing amendment and following remarks are respectfully requested.

In the Official Action, claims 1 and 4 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Olausson (U.S. Patent No. 6,138,969) in view of Chivallier et al. (U.S. Patent No. 5,988,572) and Wang (U.S. Patent No. 6,283,348). Claims 2 and 3 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Olausson in view of Chivallier and Wang, and further in view of Polawsky (U.S. Patent No. 6,341,218). Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Olausson in view of Chivallier and Wang, and further in view of Choi (U.S. Patent No. 6,755,455). These rejections are respectfully traversed.

Independent claim 1 has been amended to more clearly define a structural feature of an embodiment and to more clearly distinguish over the applied prior art references by further reciting a plurality of protrusions supporting ends of the elastic member in the main body and the push cover, and the push cover rotatably hinged at a central portion thereof and cooperating with connectors positioned at a central portion of the main body. No new matter is introduced by the present amendment. In this regard, the Examiner's attention is directed to, inter alia, Fig. 1 of Applicant's application.

It is a feature of a disclosed embodiment to provide a memo holder having a clamp structure and thus storing papers as well as cards.

To achieve the above-noted feature, as recited in claim 1, the memo holder

includes, inter alia, a main body fixed to a designated position inside a groove formed in an instrument panel in an automobile, and provided with an internal portion formed by a depression formed into a front surface at a designated depth, a holder formed at a lower area of the internal portion of the main body, a push cover rotatably hinged to the front surface of the main body, an elastic member interposed between the push cover and the main body to provide an elastic force to the push cover when the push cover is rotated, and a plurality of protrusions supporting ends of the elastic member in the main body and the push cover. Further, the push cover is rotatably hinged at a central portion thereof and cooperates with connectors positioned at a central portion of the main body.

Applicant respectfully submits that the cited references relied upon in the rejections under 35U.S.C. 103(a) do not disclose such a combination of features, in particular, the plurality of protrusions supporting ends of the elastic member in the main body and the push cover, and the push cover rotatably hinged at a central portion thereof and cooperating with connectors positioned at a central portion of the main body.

As indicated by the Examiner, neither Olausson nor Chivallier discloses a push cover as recited in claim 1. Further, in the Wang reference, although the clamping plate 13 is hinged at the back lugs 131, the back lugs 131 are not positioned at a central portion of the clamping plate, and the back lugs 131 do not cooperate with connectors positioned at a central portion of the body. Further, support protrusions 5 and 32 of the present embodiment, which support the ends of the elastic member 50 in the main body

1 and the push cover 30, respectively, are neither taught nor suggested by the applied references. Neither the Polawsky nor the Choi reference disclose the above-noted combination of the features of the disclosed embodiment.

In contrast, in the presently claimed embodiment, as noted above, the push cover 30 is rotatably hinged at a central portion thereof to the main body 1 such that when an upper portion is pushed, the push cover 30 rotates around the hinged central portion. Further, the support protrusions 5 and 32 support the ends of the elastic member 50 and are positioned in the main body 1 and the push cover 30, respectively.

Thus, even assuming, arguendo, that the teachings of the applied references can be properly combined, the asserted combination of the references would not result in the invention as now recited in claim 1.

Thus, the rejections of independent claim 1, and of claims 2-5 dependent thereon under 35 U.S.C. 103(a) are improper for at least these reasons, and withdrawal of such rejections is respectfully requested.

Independent claim 1 is now in condition for allowance in view of the amendments and the above-noted remarks. Dependent claims 2-5 are also submitted to be in condition for allowance in view of their dependence from the allowable base claims and also at least based upon their recitations of additional features of the present invention.

It is respectfully requested, therefore, that the rejections under 35 U.S.C.103(a) be withdrawn and that an early indication of the allowance thereof be given.

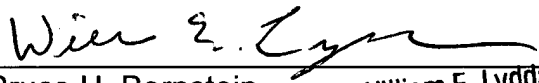
Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

P24478.A03

Any amendment to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attached thereto.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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